

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FEB 21 2018

ERIC SPRANG, :
Plaintiff :
v. : CIVIL ACTION FILE NO.
NANCY A. BERRYHILL, Acting : 1:16-CV-3460-ODE-JSA
Commissioner of Social :
Security, :
Defendant :

ORDER

This civil case is before the Court on the Report and Recommendation of United States Magistrate Judge Justin S. Anand filed January 9, 2018 ("R&R") [Doc. 22]. No objections have been filed.

After a thorough analysis, Judge Anand recommends that the final decision of the Commissioner be reversed and remanded for further action consistent with the R&R and that judgment be entered in favor of Plaintiff. In addition, Judge Anand recommends that in the event past-due benefits are awarded to Plaintiff upon remand, Plaintiff's attorney may file a motion for approval of attorney's fees. That motion must be filed no later than 30 days after the date of the Social Security letter sent to Plaintiff's counsel of record at the conclusion of the Agency's past-due benefit calculation stating the amount withheld for attorney's fees. Defendant's response, if any, shall be filed no later than 30 days after service of the motion and Plaintiff shall file any reply within 14 days of service of Defendant's response.

The Court having read and considered the R&R and noting the absence of any objections, it is hereby ADOPTED as the opinion and

order of the Court. For the reasons set forth in the R&R, the decision of the Commissioner is REVERSED and REMANDED for further action consistent with the R&R. In the event past-due benefits are awarded, Plaintiff's attorney may file a motion for approval of attorney's fees as outlined in the R&R. Judgment shall be entered in favor of Plaintiff.

SO ORDERED, this 21 day of February, 2018.



ORINDA D. EVANS
UNITED STATES DISTRICT JUDGE